

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. **(Withdrawn)** A method for preventing crystallization of a pesticidal composition during application, comprising

adding a lactate ester in an amount sufficient to act as a crystal growth inhibitor to the composition;

wherein the pesticidal composition is a liquid pesticidal EC or EW composition comprising one or more pesticides selected from the group consisting of epoxiconazole, tebuconazole, cyproconazole, prochloraz, penconazole, difenoconazole, flusilazole, metconazole, triadimenol, hexaconazole, flutriadol, triflumizole, fenbuconazole, bromuconazole, fluquinconazole, azaconazole, triticonazole, triadimefon, imibenconazole, strobliurin analogues, maneb, mancozeb, ziram, thiram and mixtures thereof; and

wherein the lactate ester is selected from the group consisting of C<sub>4</sub> to C<sub>12</sub> saturated and unsaturated alkyl, C<sub>4</sub> to C<sub>12</sub> saturated and unsaturated cyclically, and C<sub>4</sub> to C<sub>12</sub>

saturated and unsaturated branched alkyl lactates and mixtures thereof.

2. **(Cancelled)**.

3. **(Withdrawn)** A method according to claim 2 wherein the lactate ester is selected from the group consisting of 2-ethyl hexyl lactate, cyclohexyl lactate, 2-methylcyclohexyl lactate, heptyl lactate, octyl lactate and mixtures thereof.

4. **(Withdrawn)** A method according to claim 1 wherein the lactate ester is added to a pesticidal composition so that the lactate ester is 3% to 80% of the total composition.

5. **(Withdrawn)** A method according to claim 4 wherein the lactate ester is added to a pesticidal composition so that the lactate ester is 20% to 60% of the total composition.

6. **(Withdrawn)** A method according to claim 1 wherein a lactate ester is added to a pesticidal composition so that the weight ratio between the pesticide and the lactate ester is from 1:0.1 to 1:5.

7. **(Withdrawn)** A method according to claim 6 wherein a lactate ester is added to a pesticidal composition

so that the weight ratio between the pesticide and the lactate ester is from 1:1 to 1:4.

8. **(Withdrawn)** A method according to claim 1, wherein a rosin derivative is further added.

9. **(Withdrawn)** A method according to claim 8 wherein the rosin derivative is selected from the group consisting of rosin gum, rosin esters, modified rosins, hydrogenated rosin esters, polymerized rosin esters and phenolic modified rosin esters or mixtures thereof.

10. **(Withdrawn)** A method according to claim 8 wherein the Rosin derivative is added so that the Rosin derivative is 0.5% to 20% of the total pesticidal composition.

11. **(Withdrawn)** A method according to claim 10 wherein the Rosin derivative is added so that the Rosin derivative is 1% to 10% of the total pesticidal composition.

12. **(Withdrawn)** A method according to claim 8 wherein the Rosin derivative is added so that the weight ratio between the Rosin derivative and the pesticide is from 1:0.05 to 1:1.

13. **(Withdrawn)** A method according to claim 12 wherein the Rosin derivative is added so that the weight ratio

between the Rosin derivative and the pesticide is from 1:0.1 to 1:0.5.

14 (**Cancelled**).

15. (**Currently Amended**) A liquid pesticidal emulsifiable concentrate (EC) or an emulsion in water (EW) composition, comprising:

one or more fungicides selected from the group consisting of epoxiconazole, tebuconazole, cyproconazole, prochloraz, penconazole, difenoconazole, flusilazole, metconazole, triadimenol, hexaconazole, flutriadol, triflumizole, fenbuconazole, bromuconazole, fluquinconazole, azaconazole, triticonazole, triadimefon, imibenconazole, strobliurin analogues, maneb, mancozeb, ziram, thiram and mixtures thereof as an active ingredient, and

a lactate ester selected from the group consisting of C<sub>4</sub> to C<sub>12</sub> saturated and unsaturated alkyl, C<sub>4</sub> to C<sub>12</sub> saturated and unsaturated cyclically, and C<sub>4</sub> to C<sub>12</sub> saturated and unsaturated branched alkyl lactates and mixtures thereof, in an amount sufficient to act as a crystal growth inhibitor and,

when the composition is an EW composition, sufficient water to provide an EW, and wherein said EW composition is substantially free of fungicide crystals.

16. **(Previously Presented)** A composition according to claim 15 wherein the lactate ester is selected from the group consisting of 2-ethyl hexyl lactate, cyclohexyl lactate, 2-methylcyclohexyl lactate, heptyl lactate, octyl lactate and mixtures thereof.

17. **(Previously Presented)** A composition according to claim 15 further comprising a Rosin derivative selected from the group consisting of rosin gum, rosin ester, hydrogenated rosin esters, polymerized rosin ester, phenolic modified rosin esters and mixtures thereof.

18 **(Cancelled)**.

19 **(Cancelled)**.

20. **(Original)** A composition according to claim 15 comprising 3% to 80% lactate ester.

21. **(Previously Presented)** A composition according to claim 20 comprising 1% to 10% of a Rosin derivative selected from the group consisting of rosin gum, rosin ester, hydrogenated rosin esters, polymerized rosin ester, phenolic modified rosin esters and mixtures thereof.

22. **(Previously Presented)** A composition according to claim 15 wherein the weight ratio between the fungicide and the lactate ester is from 1:0.2 to 1:5.

23 **(Cancelled)**.

24. **(Original)** A composition according to claim 17 comprising 1% to 10% Rosin derivative.

25. **(Previously Presented)** A composition according to claim 17 comprising 20% to 60% of a lactate ester selected from the group consisting of 2-ethyl hexyl lactate, cyclohexyl lactate, 2-methylcyclohexyl lactate, heptyl lactate, octyl lactate and mixtures thereof, and 1% to 10 % of rosin gum.

26 **(Cancelled)**.

27 **(Cancelled)**.

28. **(Previously Presented)** The composition of claim 22 wherein the weight ratio between the fungicide and the lactate ester is from 1:1 to 1:4.

29. **(Previously Presented)** A liquid pesticidal composition selected from the group consisting of the following two compositions:

a first composition comprising (a) 10% to 50% of one or more fungicides selected from the group consisting of epoxiconazole, tebuconazole, cyproconazole, prochloraz, penconazole, difenoconazole, flusilazole, metconazole, triadimenol, hexaconazole, flutriadol, triflumizole,

fenbuconazole, bromuconazole, fluquinconazole, azaconazole, triticonazole, triadimefon, imibenconazole, strobliurin analogues, maneb, mancozeb, ziram, thiram and mixtures thereof, and (b) 20% to 60% of a lactate ester selected from the group consisting of 2-ethyl hexyl lactate, cyclohexyl lactate, 2-methylcyclohexyl lactate, heptyl lactate, octyl lactate and mixtures thereof; and

a second composition comprising (a) 10% to 50% of one or more fungicides selected from the group consisting of epoxiconazole, tebuconazole, cyproconazole, prochloraz, penconazole, difenoconazole, flusilazole, metconazole, triadimenol, hexaconazole, flutriadol, triflumizole, fenbuconazole, bromuconazole, fluquinconazole, azaconazole, triticonazole, triadimefon, imibenconazole, strobliurin analogues, maneb, mancozeb, ziram, thiram and mixtures thereof, (b) 20 to 60% of a lactate ester selected from the group consisting of of 2-ethyl hexyl lactate, cyclohexyl lactate, 2-methylcyclohexyl lactate, heptyl lactate, octyl lactate and mixtures thereof, and (c) 1% to 10% of a rosin derivative selected from the group consisting of rosin gum, a rosin ester, a modified rosin, an hydrogenated rosin ester, a polymerized rosin ester and a phenolic modified rosin ester.

30. **(Previously Presented)** The liquid pesticidal composition of claim 29 consisting of said first composition.

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31. (**Previously Presented**)      The liquid pesticidal composition of claim 29 consisting of said second fungicidal composition.